

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ESTELLE GELLER, on behalf of herself : CIVIL ACTION
and all other similarly situated

V. : NO. 02-CV-4718

WYETH, Individually and D/B/A
WYETH-AYERST RESEARCH :

ORDER

AND NOW, this 10th day of September, 2002, upon consideration of plaintiff's Motion to Approve Dismissal, it is hereby ORDERED THAT SAID Motion is GRANTED and this action is dismissed pursuant to 23(e) of the Federal Rules of Civil Procedure, with each party to bear his or its own attorneys' fees and costs. Plaintiff dismisses her individual claims only, and no notice to any putative Class shall be required.

IT IS FURTHER ORDERED that the Motion to Dismiss of Defendant Wyeth d/b/a Wyeth-Ayerst Research is DENIED AS MOOT.

Upon Order of the Court pursuant to the provisions of Rule 41.1(b) of the Local Rules of Civil Procedure of this Court, it is ORDERED that the above action is DISMISSED with prejudice, pursuant to agreement of counsel without costs.

BY THE COURT:

CYNTHIA M. RUFE, J.